

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

MAYNE PHARMA (USA) INC.

Plaintiff,

v.

AMERICAN PHARMACEUTICAL  
PARTNERS, INC., BIGMAR, INC.,  
BIGMAR-BIOREN  
PHARMACEUTICALS, S.A.,

Defendants.

C. A. No. 04-1564-KAJ

**NOTICE OF DEPOSITION OF RICHARD NASSAR**

TO: Thomas C. Grimm, Esquire  
Jerry C. Harris, Esquire  
Morris, Nichols, Arsht & Tunnell, LLP  
1201 N. Market Street  
P.O. Box 1347  
Wilmington, DE 19899-1347

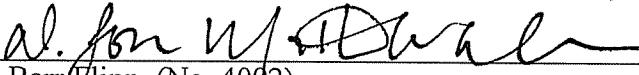
Joseph F. Coyne, Jr., Esquire  
Carlton A. Varner, Esquire  
Heather M. Cooper, Esquire  
Sheppard, Mullin, Richter & Hampton LLP  
333 South Hope Street, 48th Floor  
Los Angeles, CA 90071-1448

PLEASE TAKE NOTICE that, pursuant to the provisions of Rule 34 of the Federal Rules of Civil Procedure, plaintiff Mayne Pharma (USA) Inc., through its attorneys, will take the deposition upon oral examination of Richard Nassar, an employee of defendant American Pharmaceutical Partners, Inc., commencing on April 4, 2006, beginning at 10:00 A.M., and continuing from day to day thereafter until completed, at the law offices of Winston & Strawn, LLP, 35 W. Wacker Drive, Chicago, IL 60601-9703, or at such other time and place as may be mutually agreed upon by the parties.

The deposition will be taken before a notary public or other officer duly authorized to administer oaths and take testimony, and will be recorded by stenographic means and may be audiotaped.

February 20, 2006

YOUNG CONAWAY STARGATT & TAYLOR, LLP

  
C. Barr (No. 4092)  
Adam W. Poff (No. 3990)  
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*Attorneys for Plaintiff Mayne Pharma (USA), Inc.*

**CERTIFICATE OF SERVICE**

I, D. Fon Muttamara-Walker, Esquire, hereby certify that on February 20, 2006, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

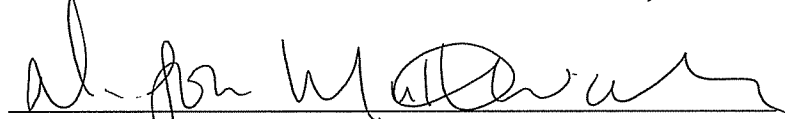
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I further certify that on February 20, 2006, I caused copies of the foregoing document to be served by hand delivery on the above-listed counsel of record and in the manner indicated below following non-registered parties:

**BY FIRST CLASS MAIL**

Joseph F. Coyne, Jr., Esquire  
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